

Wetlands Bureau Decision Report

Decisions Taken
11/28/2011 to 12/04/2011

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2011-01684 BOW LAKE ESTATES PROPERTY MGMT CORP
STRAFFORD Bow Lake

Requested Action:

Permanently remove an existing 5 slip major docking facility from lot 29 and three existing 4 ft x 30 ft docking structures from lot 30. Install one 4 ft x 40 ft seasonal pier and install three 4 ft x 30 ft seasonal piers connected by a 4 ft x 56 ft seasonal walkway in a "W" shaped configuration accessed by a 4 ft x 6 ft seasonal walkway on lot 30 on Bow Lake, in Strafford.

Conservation Commission/Staff Comments:

No Con Com comments by September 01, 2011

APPROVE PERMIT:

Permanently remove an existing 5 slip major docking facility from lot 29 and three existing 4 ft x 30 ft docking structures from lot 30. Install one 4 ft x 40 ft seasonal pier and install three 4 ft x 30 ft seasonal piers connected by a 4 ft x 56 ft seasonal walkway in a "W" shaped configuration accessed by a 4 ft x 6 ft seasonal walkway on lot 30 on Bow Lake, in Strafford.

With Conditions:

1. All work shall be in accordance with plans, as received by the NH Department of Environmental Services (DES) on October 31, 2011.
2. The permittee for these shoreline structures which are defined as a major project shall file a restrictive covenant in the appropriate Registry of Deeds dedicating the combined shoreline frontages of the properties identified as lots 29 and 30 on Strafford tax map 23 to those structures.
3. This permit shall not be effective until both this permit and the restrictive covenant required above have been recorded with the county Registry of Deeds Office by the Permittee. Copies of the recorded documents shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
4. These shall be the only structures on these combined water frontages and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. All seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 115 feet of frontage along Bow Lake on lot 30 and an average of 329 feet of frontage on lot 29 along Bow Lake.
3. A maximum of 7 slips may be permitted on these combined frontages per Rule Env-Wt 402.13, Frontage Over 75'.
4. The existing docking structures on these two lots provide 11 slips in accordance with RSA 482-A:2.
5. The proposed docking facility will provide 8 slips as defined per RSA 482-A:2, VIII, providing 3 less slips than previously existing on these two frontages and less sq ft of impact over public submerged lands.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) [and (c) for tidal projects], (EDIT as needed), Requirements for Application Evaluation, has been considered in the design of the project.
9. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact, nor adverse affect, upon Bow Lake.

-Send to Governor and Executive Council-

2011-01930 CRANE, FREDERICK
HAMPTON FALLS Unnamed Wetland

Requested Action:

Approve name change to: Dr. Frederick Crane, 271 North Haverhill Rd., Kensington NH 03833 per request received 11/21/11.

Previous owner: Deann Starvaish.

Conservation Commission/Staff Comments:

The Hampton Falls Conservation Commission had a member attend the site walk on 10/06/2011. At the October meeting, the Commission determined the existing woods road, as proposed by the applicant, is the best alternative to access the house lot.

Inspection Date: 10/06/2011 by Frank D Richardson

APPROVE NAME CHANGE:

Dredge and fill 4,800 sq. ft. of palustrine forested/scrub-shrub wetlands and impact 10,693 sq. ft. of uplands adjacent to a designated prime wetland to construct a driveway with a culvert crossing to access a single family house lot on a 10.03 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by MSC Civil Engineers & Land Surveyors, Inc. dated June 20, 2011 (last revised 11-02-11), as received by the NH Department of Environmental Services (DES) on November 02, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. NHDES Wetlands Bureau Southeast Region staff and the Hampton Falls Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. The boundaries of the 100-foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
6. The boundaries of the 100-foot prime wetland buffer shall be permanently and clearly marked with signs every 75 feet to indicate the location of and restrictions on the area.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culvert outlets shall be properly rip rapped.
12. The deed for Hampton Falls Tax Map 1, lot no. 66-1, having any portion within the 100 foot Prime Wetland Buffer or Prime Wetland, shall include the conditions of this permit.
13. After construction of the driveway there shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the 100-foot prime wetland buffer. The placement of fill, construction of structures, or storage of vehicles or hazardous materials is prohibited.
14. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by DES, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
15. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2011-02655 SUNRAY SHORES IMPROVEMENT ASSOC
BELMONT Tributary To Winnisquam Lake

Requested Action:

Install a 2 ft x 16 ft seasonal dock on frontage with 7 existing docks; two 2 ft x 20 ft seasonal docks, three 2 ft x 16 ft seasonal docks, and two 2 ft x 15 ft seasonal docks, within a dredged inlet and canal off Lake Winnisquam, in Belmont.

Conservation Commission/Staff Comments:

No comments from Con Com by Dec 01, 2011

APPROVE PERMIT:

Install a 2 ft x 16 ft seasonal dock on frontage with 7 existing docks; two 2 ft x 20 ft seasonal docks, three 2 ft x 16 ft seasonal docks, and two 2 ft x 15 ft seasonal docks, within a dredged inlet and canal off Lake Winnisquam, in Belmont.

With Conditions:

1. All work shall be in accordance with plans by Steven Smith and Associates dated August 09, 2011, as received by the NH Department of Environmental Services (DES) on October 25, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the new pier shall extend more than 16 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 236 feet of frontage along Lake Winnisquam.
3. Pursuant to Rule Env-Wt 402.16, (2), Marinas-Design Standards, the standard for marinas shall be one slip for every 25 ft of shoreline frontage, however, a greater number of slips may be allowed if the marina is enclosed by the land of the applicant.
4. The inlet and channels are completely enclosed by the land of the applicant and were constructed prior to the jurisdiction of DES for the express purpose of providing adequate dockage for the properties within the residential development surrounding the man-made waterways.
5. The docking facilities within this inlet will provide 16 slips as defined per RSA 482-A:2, VIII and are approvable pursuant to Rule Env-Wt 402.16.
6. Public hearing is waived with the finding that the project impacts will not impair the resources of Lake Winnisquam.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2011-01765 COASTAL PARTNERS LLC
LONDONDERRY Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,990 sq. ft. of palustrine scrub-shrub wetlands for work associated with the development of a commercial site including buildings, parking areas and access roadways.

Conservation Commission/Staff Comments:

"The [Londonderry Conservation] Commission voted at it last meeting to recommend approval of the application as presented."

APPROVE PERMIT:

Dredge and fill a total of 9,990 sq. ft. of palustrine scrub-shrub wetlands for work associated with the development of a commercial site including buildings, parking areas and access roadways.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering dated July 07, 2011, as received by the NH Department of Environmental Services (DES) on July 25, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. NH DES Wetlands Bureau Southeast Region staff and the Londonderry Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip rapped.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The scrub-shrub wetlands to be dredged and filled for this project are relatively narrow 'finger wetlands' on the perimeter of the larger wetlands complex adjacent to the site.

2011-01842 NOVUS HOMES LLC
NEW CASTLE Upper Tidal Buffer

Requested Action:

Impact 2,316 sq. ft. in the upland tidal buffer zone to construct a single family residence with associated grading and landscaping, including a wooden walkway & path to access a 6' x 6' kayak storage platform and reconstructing the existing rock wall surround of the natural spring pool on site.

Conservation Commission/Staff Comments:

The New Castle Conservation Commission recommends approval of the application with specific requests regarding the site plan which have been incorporated into the final revised plan submitted to the DES.

Inspection Date: 09/21/2011 by Frank D Richardson

Inspection Date: 11/28/2011 by Frank D Richardson

APPROVE PERMIT:

Impact 2,316 sq. ft. in the upland tidal buffer zone to construct a single family residence with associated grading and landscaping, including a wooden walkway & path to access a 6' x 6' kayak storage platform and reconstructing the existing rock wall surround of the natural spring pool on site.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated June 2011 (last revised 11/28/11, as received by the NH Department of Environmental Services (DES) on November 28, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All terrain leveling involving rock removal shall be accomplished by mechanical excavation and/or hydraulic hammer rather than by drilling and blasting.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a)&(b), projects in the upland tidal buffer zone having a component within 50 feet of a salt marsh (fringe salt marsh at this location).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 21, 2011. Field inspection determined the project is a reasonable and responsible development of this single family house lot bordering a tidal creek.

2011-02343 AUBURN, TOWN OF
AUBURN Hook Brook

Requested Action:

Dredge and fill a total of 4,700 sq. ft. (3,000 sf permanent; 1,700 sf temporary construction impacts) in the embankments and flow channel of Hook Brook for work associated with the replacement of the existing deteriorated and undersized 73" x 55" CMP culvert with twin 60" HDPE culverts with precast concrete headwalls and C-2 stone aprons.

Conservation Commission/Staff Comments:

No report or comments were received from the Auburn Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill a total of 4,700 sq. ft. (3,000 sf permanent; 1,700 sf temporary construction impacts) in the embankments and flow channel of Hook Brook for work associated with the replacement of the existing deteriorated and undersized 73" x 55" CMP culvert with twin 60" HDPE culverts with precast concrete headwalls and C-2 stone aprons.

With Conditions:

1. All work shall be in accordance with plans by Stantec Consulting Services Inc. last revised 11/15/11, as received by the NH Department of Environmental Services (DES) on November 17, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau may require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Auburn Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
15. Faulty equipment shall be repaired prior to entering jurisdictional areas.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing, deteriorated CMP culvert location has experienced flooding and Hook Brook has overtopped the roadway on several occasions. 6. The proposed twin 60" HDPE culverts will abate these conditions and provide for safer passage on Hook Road.

2011-02480 **WHYTE, WILLIAM**
GILSUM **Unnamed Wetland**

Requested Action:

Retain 6,148 square feet of palustrine forested wetlands impact for road improvements for access to a proposed subdivision.

APPROVE AFTER THE FACT:

Retain 6,148 square feet of palustrine forested wetlands impact for road improvements for access to a proposed subdivision.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated September 15, 2011, as received by the Department on September 29, 2011, and Subdivision Plans by William F. Whyte, dated October 26, 2007, as received by the Department on November 02, 2011.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
5. The permittee or a designee shall conduct a follow-up inspection after the first growing season and submit photographs confirming the site is stable.
6. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. In correspondence dated October 03, 2011, the Natural Heritage Bureau stated that impacts to the exemplary marsh - shrub swamp system as result of the project are not expected.
3. The agent has requested a waiver per Env-Wt 204.03, to waive information required by Env-Wt 304.09(a) for the entirety of the lot.
4. The application submittal included a partial delineation plan with a NH Certified Wetland Scientist stamp, USGS Topographical Map, National Wetland Inventory Map, NRCS Soil Map, FEMA Map and aerials of the site.
5. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-02737 HAYNES, DOUGLAS/LAURICE
MEREDITH Lake Winnepesaukee

Requested Action:

Repair 330 linear feet of retaining wall "in kind", dredge 5 cubic yards of material from 230 sq ft from within 2 existing boat slips located within the two existing boathouses on an average of 985 feet of shoreline frontage on Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

No comments from Con Com by Dec 01, 2011

APPROVE PERMIT:

Repair 330 linear feet of retaining wall "in kind", dredge 5 cubic yards of material from 230 sq ft from within 2 existing boat slips located within the two existing boathouses on an average of 985 feet of shoreline frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated September 26, 2011, as received by the NH Department of Environmental Services (DES) on October 27, 2011.
2. All dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. The repairs shall maintain the existing size, location and configuration of the structures.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

6. This permit does not allow for the removal of any trees from the frontage during the repair of the retaining wall.

7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

MINIMUM IMPACT PROJECT

2011-02441 KABAT, DANIEL
ALTON Lake Winnepesaukee

Requested Action:

Repair and restore an existing pile supported docking structure to previously permitted 6 ft x 30 ft dimensions, replace 4 tie off piles and replace two 3 pile ice clusters, on an average of 99 ft of shoreline frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Repair and restore an existing pile supported docking structure to previously permitted 6 ft x 30 ft dimensions, replace 4 tie off piles and replace two 3 pile ice clusters, on an average of 99 ft of shoreline frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated November 7, 2011, as received by the NH Department of Environmental Services (DES) on November 8, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the structures as permitted under DES Permit 1990-686.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. The minimum clear spacing between piles shall be 12 feet.
10. The dock shall not extend more than 30 feet lakeward from full lake elevation of 504.32.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the

Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-02685 BAGLEY, DAVID
SEABROOK Unnamed Wetland

Requested Action:

Dredge and fill 1,295 sq. ft. of palustrine forested wetlands to construct a driveway to access a single family house lot on a 0.74 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments were received from the Seabrook Conservation Commission on this application.

Inspection Date: 08/19/2011 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill 1,295 sq. ft. of palustrine forested wetlands to construct a driveway to access a single family house lot on a 0.74 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering Inc. dated Sept. 14, 2011, as received by the NH Department of Environmental Services (DES) on October 21, 2011.
2. There shall be no further alteration of wetlands for lot development or any other construction activities other than the proposed single family home with attached garage.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2011-02599 BOHL, JEANNINE
LOUDON Unnamed Stream

COMPLETE NOTIFICATION:

Loudon Tax Map 12, Lot# 6

2011-02941 MELTZER, JAMES
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map 15, Lot# 34

2011-02963 HUPPE, MAURICE
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map R25, Lot# 1

2011-02964 WEBSTER LAND CORP.
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map 21, Lot# 2A

2011-02966 NH DRED
SPRINGFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Springfield Tax Map 11, Lot# 563-153

2011-02968 BURKE, PETER
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax Map 14, Lot# 50

2011-02982 WILLIS, BARBARA AND SIDNEY
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map R7, Lot# 5

2011-02983 SCHAAL, MARK/CAROLYN
HANCOCK Unnamed Stream

COMPLETE NOTIFICATION:
Hancock Tax Map R16, Lot# 15A & 15B

2011-02984 BONDIERE, GERALD
DORCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Dorchester Tax Map 12, Lot# 660

2011-02987 NH DRED
WEARE Unnamed Stream

COMPLETE NOTIFICATION:
Weare Tax Map 403, Lot# 86

2011-02988 NH DRED
DUNBARTON Unnamed Stream

COMPLETE NOTIFICATION:
Dunbarton Tax Map G2, Lot# 303

2011-02990 SHARKEY, RICHARD
WILTON Unnamed Stream

COMPLETE NOTIFICATION:
Wilton Tax Map F, Lot# 22, 23, 24

2011-02991 LEA, FREDERICK
PEMBROKE Unnamed Stream

COMPLETE NOTIFICATION:
Pembroke Tax Map 937, Lot# 19

2011-02992 LORD INVESTMENTS LLC
BARRINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Barrington Tax Map 270, Lot# 64

2011-03005 YANKEE FOREST LLC, C/O WAGNER FOREST MGMT
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 42, Lot# 02 Parcel R

2011-03006 YANKEE FOREST LLC, C/O WAGNER FOREST MGMT
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 42, Lot# 02

**2011-03007 MOUNTAIN RIVER EAST CODO ASSOCIATION, NORMAND VADE
THORNTON Unnamed Stream**

COMPLETE NOTIFICATION:
Thornton Tax Map 11, Lot# 1-2

**2011-03009 MERCADO, ERNESTO
NEW DURHAM Unnamed Stream**

COMPLETE NOTIFICATION:
New Durham Tax Map 12A, Lot# 22 & 23

**2011-03010 SIBLEY, JOHN
ETNA Unnamed Stream**

COMPLETE NOTIFICATION:
Etna Tax Map 2, Lot# 56 & 135

**2011-03011 THIBEAULT CORP OF NEW ENGLAND
MILFORD Unnamed Stream**

COMPLETE NOTIFICATION:
Milford Tax Map 59, Lot# 1-2, 6

EXPEDITED MINIMUM

**2011-01061 MCKALLAGAT, STEVE
PELHAM Little Island Pond**

Requested Action:

Repair an existing dock by installing a 4 ft x 30 ft seasonal dock attached to a 4 ft x 5 ft concrete pad with steps on 13 linear feet of shoreline frontage on Little Island Pond, in Pelham.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing dock by installing a 4 ft x 30 ft seasonal dock attached to a 4 ft x 5 ft concrete pad with steps on 13 linear feet of shoreline frontage on Little Island Pond, in Pelham.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated March 30, 2011, as received by the NH Department of Environmental Services (DES) on October 31, 2011.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely behind full lake elevation.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates this frontage historically has retained a docking structure. No definitive information was submitted indicating a dock of lesser dimensions existed on this frontage. The proposed dock is smaller than the dock shown in the photographs submitted with the application.
4. The applicant has an average of 13 feet of shoreline frontage along Little Island Pond.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII.

2011-01468 NORTHEAST DEVELOPERS LLC
ALTON Lake Winnepesaukee

Requested Action:

Amend permit to add 2 seasonal PWC lifts, 2 seasonal boat lifts, a 12 ft x 30 ft seasonal canopy and relocate the steps in the bank to the south on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE AMENDMENT:

Install a 6 ft x 40 ft seasonal dock connected to a 6 ft x 4 ft concrete pad, construct a 4 ft wide x 5 ft long steps in the bank above full lake elevation, install 2 seasonal PWC lifts along the shoreline, install 2 seasonal boat lifts within the slips adjacent to the docking structure, install a 12 ft x 30 ft seasonal canopy over the northern slip, on an average of 141 ft of frontage, Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Steven Smith Associates revision dated November 02, 2011, as received by the NH Department of Environmental Services (DES) on November 07, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely behind the natural undisturbed shoreline and above full lake elevation of 504.32.
7. The steps in the bank shall be located entirely behind the natural undisturbed shoreline and above full lake elevation of 504.32.
8. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
9. The canopy height shall not exceed 20 ft above full lake elevation of 504.32.
10. Seasonal PWC lifts shall be removed for the non-boating season.
11. The seasonal boatlift shall be removed for the non-boating season.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible

for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.
2. The applicant has an average of 141 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2011-02011 ERSKINE GREEN, JOAN
TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair 212 sq feet of a 58 linear ft breakwater, repair a 4 ft x 15 ft section of cantilevered dock attached to the breakwater, reduce a 10 ft 9 in x 20 ft 3 in deck to 10 ft 9 in x 17 ft 9 inch, and retain 540 sq ft of rip rap placed on the bank on an average of 274 feet of shoreline frontage on Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

DENY PERMIT:

Repair 212 sq feet of a 58 linear ft breakwater, repair a 4 ft x 15 ft section of cantilevered dock attached to the breakwater, reduce a 10 ft 9 in x 20 ft 3 in deck to 10 ft 9 in x 17 ft 9 inch, and retain 540 sq ft of rip rap placed on the bank on an average of 274 feet of shoreline frontage on Lake Winnepesaukee, in Tuftonboro.

With Findings:

Standards for Approval

1. This project is classified as a minimum impact per Rule Env-Wt 303.04(m), "Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02."
2. In accordance with Rule Env-Wt 302.04 Requirements for Application Evaluation, (a), the Applicant shall demonstrate by plan and example that the alternative proposed is the one with the least impact to wetlands or surface waters on site.
3. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), the Department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction.
4. In accordance with Rule Env-Wt 302.04 for any major or minor project, the applicant shall demonstrate the need for the proposed impact by plan and example.
5. In accordance with RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions , XIV, (a), (3), (A), where the Department requests additional information pursuant to subparagraph (a)(2), the Department shall approve or deny the application, in whole or in part, within 30 days of the Department's receipt of a complete response to the Department's information request.
6. In accordance with Rule Env-Wt 404.04, Rip-rap, (a) rip-rap applications shall be considered only where the Applicant demonstrates that anticipated turbulence, flows, restricted space, or similar factors render vegetative and diversion methods physically impractical.
7. In accordance with Rule Env-Wt 404.04, Rip-rap, (b) applications for rip-rap shall include the designation of a minimum and maximum stone size, gradation, minimum rip-rap thickness, type of bedding for stone, cross-section and plan views of the proposed installation, sufficient plans to clearly indicate the relationship of the project to fixed points of reference, abutting properties, and features of the natural shoreline, and a description of anticipated turbulence, flows, restricted space, or similar factors that would render vegetative and diversion methods physically impractical.
8. In accordance with Rule Env-Wt 404.04, Rip-rap, (c) applications to use rip-rap adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project.
9. In accordance with Rule Env-Wt 404.04, Rip-rap, (d) rip-rap shall be located shoreward of the normal high water shoreline,

where practical, and shall not extend more than 2 feet lakeward of that line at any point.

Findings of Fact

1. On August 19, 2011, the Wetlands Bureau received a Minimum Impact Expedited application to repair an existing breakwater and cantilevered dock on an average of 274 feet of shoreline frontage on Lake Winnepesaukee, in Tuftonboro.
2. On September 8, 2011, the Wetlands Bureau sent a Request for More Information letter to the Applicant. The letter explained that neither DES file #2006-2902 nor #2007-289, which were submitted to install rip rap on the frontage had been approved, the photographs submitted with the Application indicated rip-rap had been installed with a permit, and that DES file 2007-289 had been referred to the compliance section for enforcement action. The letter requested plans indicating all structures and impacted areas on the frontage.
3. On November 4, 2011 the Department received a request to retain the rip rap placed in 2007 without a permit in response to the Request for More Information letter dated September 8, 2011. Neither this request nor the attached plans included the information required pursuant to Rule Env-Wt 404.04 for the placement of rip rap.

Rulings in Support of Denial

1. The after the fact request to retain the rip rap did not include complete information as required pursuant to Rule Env-Wt 404.04, therefore pursuant to RSA 482-A:3, the application is denied.

2011-02484 SINGER REVOC TRUST, RUTH NEW LONDON Sunapee Lake

Requested Action:

Repair in kind an existing 16 ft x 12 ft 3 in dock supported by a full crib accessed by a 8 ft x 34 ft dock supported by a 8 ft x 8 ft crib, accessed by a 6 ft x 46 ft dock supported by two 6 ft x 6 ft cribs, on Lake Sunapee, New London.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair in kind an existing 16 ft x 12 ft 3 in dock supported by a full crib accessed by a 8 ft x 34 ft dock supported by a 8 ft x 8 ft crib, accessed by a 6 ft x 46 ft dock supported by two 6 ft x 6 ft cribs, on Lake Sunapee, New London.

With Conditions:

1. All work shall be in accordance with plans by Richard Green, as received by the NH Department of Environmental Services (DES) on September 29, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when

considered with the original application are not classified as minor or major.

10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2011-02545 BRADLEY, JOSEPH & JULIE
GILFORD Lake Winnepesaukee

Requested Action:

Construct a 340 sq ft perched beach with less than 10 cubic yards of sand, repair in kind 138 linear feet of retaining wall, permanently remove an existing sloping boat ramp and restore the area by constructing a 210 sq ft pervious patio, with no work to the existing 4 ft x 30 ft dock connected to a 6 ft x 55 ft dock by a 4 ft x 12 ft walkway on an average of 100 feet of shoreline frontage on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Construct a 340 sq ft perched beach with less than 10 cubic yards of sand, repair in kind 138 linear feet of retaining wall, permanently remove an existing sloping boat ramp and restore the area by constructing a 210 sq ft pervious patio, with no work to the existing 4 ft x 30 ft dock connected to a 6 ft x 55 ft dock by a 4 ft x 12 ft walkway on an average of 100 feet of shoreline frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by Belknap Landscaping Co dated September 26, 2011, as received by the NH Department of Environmental Services (DES) on October 06, 2011.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Repair shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
6. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
7. The steps installed for access to the water shall be located completely landward of the normal high water line.
8. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
9. This permit shall be used only once, and does not allow for annual beach replenishment.
10. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
11. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a perched beach.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

2011-02753 SWAINS LAKE VILLAGE WATER DISTRICT
BARRINGTON Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,950 sq. ft. of wetlands in four locations to install underground utilities for an existing water system and regrade existing roadside ditches.

APPROVE PERMIT:

Dredge and fill a total of 2,950 sq. ft. of wetlands in four locations to install underground utilities for an existing water system and regrade existing roadside ditches.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated November 15, 2011, as received by the NH Department of Environmental Services (DES) on November 28, 2011.
2. Temporary work areas shall be regraded to original contours following completion of work and seeded with an appropriate wetland seed mix.
3. Wetland replication areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
4. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
13. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impact is necessary to upgrade an existing private water system and regrade existing man-made drainage ditches to function as designed.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland impacts have been minimized by locating the underground utility crossings adjacent to existing gravel roadways and under an existing logging roadway. The applicant has further minimized wetland impacts by regrading existing man-made drainage ditches.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) has no record of a rare wildlife, plant, and/or natural community present within the vicinity of the project area.
5. The Barrington Conservation Commission signed the expedited application.
6. The applicant has obtained DES Shoreland Permit #2011-2696 for the proposed work.

2011-02807 KETOLA, DANIEL
SULLIVAN Unnamed Stream

Requested Action:

Dredge and fill 58 square feet of seasonal run off to install a 24-inch x 20-foot culvert for driveway access to a single family residential building lot.

APPROVE PERMIT:

Dredge and fill 58 square feet of seasonal run off to install a 24-inch x 20-foot culvert for driveway access to a single family residential building lot.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design, LLC, dated 8-18-2011, as received by the Department on November 03, 2011.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z), access to a single family residential lot.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

LAKES-SEASONAL DOCK NOTIF

2011-03033 FALLS, JAMES
SALEM Millville Lake

COMPLETE NOTIFICATION:

Salem Tax Map 74, Lot# 7434 Millville Lake

CSPA PERMIT

2009-02802 ELLAKONA REALTY LLC
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Approve name change to: Albert & Heather Popoloski, 244 Boxford Rd., Haverhill MA 01835 per request received 11/21/11.

Previous owner: Ellakona Realty LLC.

APPROVE NAME CHANGE:

CORRECTED PLAN: Approved plan dated April 22, 2010.

AMENDMENT DESCRIPTION: Construct a 2,170 sq ft family residence (includes attached deck), 2,130 sq ft drive, retaining walls along the residence and an impervious walk on this vacant lot. Temporary impact will include area along the proposed addition and within construction area of proposed septic system. New permanent impacts = 4,750 sq ft; Temporary impacts = 4,700; Total impacts = 9,450 sq ft; Total post-construction impervious area = 15%.

Impact 10,740 sq ft to construct new family residence, deck, driveway, and an impervious walk.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated April 22, 2010 and received by the Department of Environmental Services ("DES") on June 14, 2010.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 6,937 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

DES staff identified in correct plan date approval under Project Specific Condition #1.

Permit corrected 11/15/2011.

2011-02137 AKEY, MARIAN
DEERFIELD Pleasant Lake

Requested Action:

Impact 4,178 sq ft for the purpose of constructing a new residential dwelling and installing stormwater controls.

APPROVE PERMIT:

Impact 4,178 sq ft for the purpose of constructing a new residential dwelling and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with revised plans submitted by Eric Buck of Pollock Land Planning and received by the Department of Environmental Services ("DES") on November 7, 2011.
2. No more than 26.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the unaltered area between 50 ft and 150 ft of the reference line, as delineated on revised plans received by DES on November 7, 2011, must remain in an unaltered state.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. The vegetation planted within each of proposed bio-retention areas shall be monitored and, if necessary, replaced, to ensure a 100% survival rate.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. No impacts shall occur to natural ground covers within the waterfront buffer.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Pleasant Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed a subtle decrease in impervious area within the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of multiple bioretention swales that will be capable on infiltrating stormwater from the existing access road and driveway.
5. The applicant has proposed to install significant stormwater controls and attain a greater setback from the reference line, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2011-02652 PERKINS CABINS INC
HOLDERNESS Little Squam Lake

Requested Action:

Impact 1,818 sq ft in order to reconstruct parking area with a 502 sq ft reduction in impervious area.

APPROVE PERMIT:

Impact 1,818 sq ft in order to reconstruct parking area with a 502 sq ft reduction in impervious area.

With Conditions:

1. All work shall be in accordance with plans by Dolbier Property Services dated October 1, 2011 and received by the NH Department of Environmental Services (DES) on October 19, 2011.
2. No more than 23.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-02828 BREWITT, CAROLE
STRAFFORD Bow Lake

Requested Action:

Impact 355 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 355 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering, dated October 13, 2011 and received by the Department of Environmental Services ("DES") on November 7, 2011.
2. No more than 8.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.

3. This permit is contingent upon receiving all necessary approvals that may be required from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,399 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions" and received by DES must remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Bow Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to install stormwater controls consisting of a 27 cubic foot infiltration basin.
4. The applicant has proposed to install sound stormwater controls that will be capable of infiltrating stormwater from the existing cottage and the proposed addition, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2011-02881 LITTLE, WILLIAM
ALTON Lake Winnepesaukee

Requested Action:

Impact 3,451 sq ft in order to replace failing stonewall and replace a deck with a bluestone patio.

APPROVE PERMIT:

Impact 3,451 sq ft in order to replace failing stonewall and replace a deck with a bluestone patio.

With Conditions:

1. All work shall be in accordance with plans by Farmhouse Land Development dated November 9, 2011 and received by the NH Department of Environmental Services (DES) on November 14, 2011.
2. No more than 35.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless

additional approval is obtained from DES.

3. At least 2,023 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-02911 R LACEY COLLIGAN REV TRUST OF 2000
MOULTONBOROUGH Squam Lake

Requested Action:

Impact 7,550 sq ft in order to construct a dwelling, install a sewer line to an existing septic tank, and replace an existing shed within the same location.

APPROVE PERMIT:

Impact 7,550 sq ft in order to construct a dwelling, install a sewer line to an existing septic tank, and replace an existing shed within the same location.

With Conditions:

1. All work shall be in accordance with plans by David M. Doland dated November 14, 2011 and received by the NH Department of Environmental Services (DES) on November 16, 2011.
2. No more than 9.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 21,979 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-02914 OCONNOR JR, ROBERT
CANTERBURY New Pond

Requested Action:

Impact 4,570 sq ft for the construction of a septic system.

APPROVE PERMIT:

Impact 4,570 sq ft for the construction of a septic system.

With Conditions:

1. All work shall be in accordance with plans by Matthew Moore Civil Engineering, PLLC dated November 14, 2011 and received by the NH Department of Environmental Services (DES) on November 16, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2011-02915 SMITH, LUKE
CANTERBURY New Pond

Requested Action:

Impact 3,450 sq ft in order to construct a house, deck, and driveway.

APPROVE PERMIT:

Impact 3,450 sq ft in order to construct a house, deck, and driveway.

With Conditions:

1. All work shall be in accordance with plans by Matthew Moore Engineering, PLLC dated November 14, 2011 and received by the NH Department of Environmental Services (DES) on November 16, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,760 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2011-02926 BUTCHER, HEIDI/JOHN
WASHINGTON Island Pond

Requested Action:

Impact 3,411 sq ft in order to add an addition with decks and porches, modify driveway and walkways with a reduction in impervious areas.

APPROVE PERMIT:

Impact 3,411 sq ft in order to add an addition with decks and porches, modify driveway and walkways with a reduction in impervious areas.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated November 9, 2011 and received by the NH Department of Environmental Services (DES) on November 17, 2011.
2. No more than 21.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,444 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2011-02872 MAYER, GUY/MARIE
ALTON Lake Winnepesaukee

Requested Action:

Impact 9,520 sq ft for the purpose of constructing a new, detached garage, installing a new septic system and removing stumps.

APPROVE PERMIT:

Impact 9,520 sq ft for the purpose of constructing a new, detached garage, installing a new septic system and removing stumps.

WAIVER APPROVED: RSA 483-B:9, V(b)(2)(A) is waived to allow an area of the natural woodland buffer existing in an unaltered state to be temporarily disturbed beyond that permissible under the minimum standard.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, dated October 31, 2011 and received by the Department of Environmental Services ("DES") on November 10, 2011.
2. This approval includes a waiver of RSA 483-B:9 V(b)(2)(A) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 13.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. The 1,700 sq ft of vegetation planted within the area designated to revert to an unaltered state and as delineated on plans received by DES, shall be monitored, and if necessary, replaced, to ensure 100% survival rate.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), 5,660 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans titled, "Proposed Conditions" and received by DES must remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

13. Any fill used shall be clean sand, gravel, rock, or other suitable material.

14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The applicant or their designated agent hereby request a waiver of RSA 483-B:9 V(b)(2)(A) for the purpose of installing a new septic system that will disrupt an area of the natural woodland buffer greater than that permissible.

2. Strict compliance with the minimum standard would provide no public benefit as this would prevent the property owner from installing a more modern septic system that will provide greater protection of a public resource.

3. Granting the waiver will have no adverse environmental effect on the environment or the natural resources of the state because the property owner is allowing a region of the natural woodland buffer to revert to an unaltered state. The future net area of the natural woodland buffer that will exist in an unaltered state will be greater than that existing today.